



2026:AHC:65928

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 4299 of 2026

Yugesh Kumar Yadav

.....Petitioner(s)

Versus

Union Of India And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Brijesh Kumar Yadav
Counsel for Respondent(s)	:	A.S.G.I., Suchit Tandon

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The petitioner has preferred the present writ petition inter-alia with the following prayer:-

"i) Issue a writ, order or direction in the nature of mandamus directing to the respondent no.3 & 4 to consider the 10 choice place given by petitioner of home zone on 28.03.2026 (Annexure No.6) for transfer.

ii) Issue a writ, order or direction in the nature of mandamus directing to the respondent no.3 & 4 to decide the representation dated 23.01.2026 and 10.03.2026 of the petitioner."

2. Earlier the petitioner approached this Court against an order of transfer dated 21.01.2026 passed by the respondent no. 4 by filing writ petition being **Writ A No.1334 of 2026 (Yugesh Kumar Yadav vs. Union of India and 3 Others)**. The aforesaid writ petition was finally disposed of by the Coordinate Bench of this Court vide its judgment and order dated February 3, 2026. Order reads as follows:-

"1. Heard Sri Brijesh Kumar Yadav, learned counsel for the writ petitioner and Sri Vivek Kumar Singh, learned counsel for the respondents.

2. The case of the writ petitioner is that he was appointed on the post of Head Constable Wing-GD on 19.05.2001 and from 19.05.2001 to 11.09.2020, the writ petitioner was posted in different places and at present, he is posted in Varanasi. However, by virtue of order dated

21.01.2026 passed by Assistant Inspector General (Establishment), C.G.O. Complex, Lodhi Road, New Delhi, Respondent no.4, the writ petitioner has been transferred from ASG Varanasi to NLC Neyveli.

3. Questioning the said order, present writ petition has been preferred.

4. This Court entertained the writ petition on 02.02.2026 and instructions were provided to the Court.

5. Learned counsel for the writ petitioner has invited attention of the Court towards para-9 of the writ petition so as to contend that the son of the writ petitioner, Pawan Kumar is studying in Class-XII in 12th in C.M.G. Public School at Chandmari, Lodhan (Nagababa) Shivpur, Varanasi and thus, the writ petitioner be allowed to retain the quarter and not to transfer till 31.03.2026.

6. Sri Vivek Kumar Singh, learned counsel for the respondents has though opposed the said prayer, but according to him an undertaking is to be there of the writ petitioner and the writ petitioner is to adhere to the request, which he is seeking before this Court.

7. I have heard the submissions so made across the Bar and perused the records carefully.

8. Apparently, the writ petitioner holds a transferable post and thus the writ petitioner has to abide by the orders passed transferring him from one place to another. However, looking into the fact that the writ petitioner claims that his son is studying in Class-XII in Varanasi and the academic session is to come to an end on 31.03.2026. Thus the writ petition is being decided in following terms:-

(a) The writ petitioner is to provide an undertaking and an affidavit before the immediate superior in Varanasi by 17.02.2026.

(b) On furnishing of the undertaking to vacate the quarter as well as to join the transferred place by 03.04.2026, the writ petitioner shall be retained in Varanasi till 31.03.2026.

(c) Till 31.03.2026, the writ petitioner shall not be forced to join the

transferred place.

(d) The protection so accorded to the writ petitioner is subject to fulfillment of the conditions and the timelines and in case of any violation thereof, the protection so accorded shall stand vacated without reference to the Bench.

(e) Subject to joining the transferred place, it shall be open for the writ petitioner to raise his grievance.

9. With the aforesaid observations, the writ petition stands disposed of. "

3. It is argued that pursuant to the aforesaid, affidavit was submitted by the petitioner before authorities by way of undertaking, copy of which is appended as Annexure-8 to the writ petition.

4. It is stated in the aforesaid undertaking that petitioner will comply with the judgment and order passed by this Court dated 03.02.2026 in its letter and spirit.

5. In the judgment and order dated 03.02.2026, petitioner was directed to furnish the undertaking that he will vacate the quarter as well as join the transferred place by 03.04.2026, the petitioner shall be retained in Varanasi till 31.03.2026. Now the petitioner has again come up before this Court with the prayer to consider 10 choices place given by the petitioner to Home Zone on 28.03.2026.

6. It transpires from perusal of the facts as narrated above that against the order of transfer, the petitioner has approached this Court by filing **Writ A No.1334 of 2026** which was finally disposed of by the Coordinate Bench of this Court vide its judgment and order dated 03.02.2026. By the aforesaid judgment, the petitioner was directed to provide an undertaking and an affidavit before the immediate Superior in Varanasi by 17.02.2026 that the petitioner will vacate the quarter as well as to join the transferred place by 03.04.2026 and he will be retained in his quarter only till 31.03.2026. The aforesaid findings were recorded in paragraph-8 of the aforesaid judgment which has already been quoted above.

7. It is admitted that pursuant to the aforesaid, an undertaking has already

been given by the petitioner before the authorities.

8. In this view of the matter, the Court is of the opinion that relief as sought for by the petitioner in the present writ petition could not be granted, specially in view of the undertaking given by the petitioner before the authority pursuant to the judgment and order dated 03.02.2026.

9. Writ Petition devoid of merits. **Dismissed.**

10. This order is passed in the presence of Shri Suchit Tandon, learned counsel appearing on behalf of respondents.

(Prakash Padia,J.)

March 30, 2026

Swati